

*Antelope Valley*  
Air Quality Management District

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Final  
Staff Report

Adoption of the  
*2015 8-Hour Reasonably Available Control  
Technology – State Implementation  
Plan Analysis (2015 RACT SIP Analysis)*

Adopted on  
July 21, 2015

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STAFF REPORT  
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Implementation Plan Analysis (2015 RACT SIP Analysis)*

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**STAFF REPORT**  
*2015 8-Hour Reasonably Available Control Technology – State  
Implementation Plan Analysis (2015 RACT SIP Analysis)*

**I. PURPOSE OF STAFF REPORT**

A staff report serves several discrete purposes. Its primary purpose is to provide a summary and background material to the members of the Governing Board. This allows the members of the Governing Board to be fully informed before making any required decision. It also provides the documentation necessary for the Governing Board to make any findings, which are required by law to be made prior to the approval or adoption of a document. In addition, a staff report ensures that the correct procedures and proper documentation for approval or adoption of a document have been performed. Finally, the staff report provides evidence for defense against legal challenges regarding the propriety of the approval or adoption of the document.

**II. EXECUTIVE SUMMARY**

The Antelope Valley Air Quality Management District (AVAQMD) Governing Board is being requested to conduct a public hearing, make findings, and then adopt a resolution adopting the *2015 8-hour Reasonably Available Control Technology – State Implementation Plan Analysis (RACT SIP Analysis)*, and direct staff actions.

The Federal Clean Air Act (FCAA) requires areas designated non-attainment and classified moderate and above to implement Reasonably Available Control Technology (RACT) for sources subject to Control Technique Guidelines (CTG) documents issued by the United States Environmental Protection Agency (USEPA) for “major sources” of volatile organic compounds (VOCs) and oxides of nitrogen (NOx) which are ozone precursors. Effective May 27, 2008 (73 FR 16436, March 27, 2008), USEPA lowered the primary ozone National Ambient Air Quality Standard (NAAQS) from 0.084 parts per million (ppm) to 0.075 ppm. For purposes of the FCAA, the District has been designated non-attainment for ozone and classified as Severe-15 for the 8-hour standard. As a result of this change, USEPA is requiring that all non-attainment areas adopt and submit an updated *RACT SIP Analysis* to ensure that District Rules adequately address current RACT requirements.

In 2006 the AVAQMD adopted the *8-Hour Reasonably Available Control Technology – State Implementation Plan Analysis (RACT SIP Analysis)* in response to change on March 9, 2006 of the previous ozone standard from measurement on a one- hour basis (1-hour ozone standard) to an eight-hour basis (8-hour ozone standard). On September 11, 2006, USEPA provided comments on the 2006 *RACT SIP Analysis* requesting additional analysis on several rules to determine if they still represented RACT<sup>1</sup>. On March 13, 2014, the AVAQMD sent the *8-hour Ozone Reasonably Available Control Technology (RACT) State Implementation Plan (SIP) Analysis – Supplemental Analysis* addressing

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<sup>1</sup> USEPA comment letter Re: 8-hour Ozone Reasonably Available Control Technology – State Implementation Plan (RACT SIP) Analysis, dated August 2006. September 11, 2006.

these comments and providing the requested analysis of those rules identified by USEPA<sup>2</sup>. This update was not acted on by the Governing Board pursuant to USEPA direction.

The AVAQMD must now adopt an updated *2015 RACT SIP Analysis* for the 2008 0.075 ppm 8-hour ozone NAAQS. The information contained in the original 2006 *RACT SIP Analysis*, the information in the supplemental *2014 RACT SIP Analysis*, together with this document, will comprise an analysis sufficient to satisfy the *RACT SIP Analysis* request for the 0.075 ppm 8-hour ozone NAAQS. The resultant *2015 RACT SIP Analysis* will, upon adoption, be submitted to USEPA for approval.

The public hearing to consider the adoption of the *2015 RACT SIP Analysis* was originally noticed for the May 19, 2015 Governing Board meeting. The AVAQMD received substantive comments from USEPA and continued the hearing to June 16, 2015 and again to July 21, 2015 to address the comments.

### III. STAFF RECOMMENDATION

Staff recommends that the Governing Board of the AVAQMD, after conducting a public hearing, adopt the proposed *2015 8-hour Reasonably Available Control Technology – State Implementation Plan Analysis (RACT SIP Analysis)*. Such action is necessary because portions of the AVAQMD has been designated ozone non-attainment areas and classified Severe-15 for the 8-hour ozone standard. Therefore the AVAQMD must submit an updated *RACT SIP Analysis* to the USEPA pursuant to the FCAA.

The Governing Board of the Antelope Valley Air Quality Management District adopted the *2015 RACT SIP Analysis* on July 21, 2015.

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<sup>2</sup> AVAQMD letter Re: 8-hour Ozone Reasonably Available Control Technology (RACT) State Implementation Plan (SIP) Analysis – Supplemental Analysis. March 13, 2014.

#### IV. LEGAL REQUIREMENTS CHECKLIST

The findings and analysis as indicated below are required for the procedurally correct adoption of the *2015 8-Hour Reasonably Available Control Technology – State Implementation Plan Analysis (RACT SIP Analysis)*. Each item is discussed, if applicable, in Section V below. Copies of documents are included in the appropriate Appendix.

##### **FINDINGS REQUIRED FOR RULES & REGULATIONS**

- X Necessity
- X Authority
- X Clarity
- X Consistency
- X Non-duplication
- X Reference
- X Public Notice & Comment
- X Public Hearing

##### **REQUIREMENTS FOR STATE IMPLEMENTATION PLAN SUBMISSION (SIP):**

- X Public Notice & Comment
- X Availability of Document
- X Notice to Specified Entities (State, Air Districts, USEPA, Other States)
- X Public Hearing
- X Legal Authority to adopt and implement the document.
- X Applicable State laws and regulations were followed.

##### **ELEMENTS OF A FEDERAL SUBMISSION**

- X Elements as set forth in applicable Federal law or regulations.

##### **CALIFORNIA ENVIRONMENTAL QUALITY ACT REQUIREMENTS (CEQA):**

- N/A Ministerial Action
- X Exemption
- N/A Negative Declaration
- N/A Environmental Impact Report
- N/A Appropriate findings, if necessary.
- X Public Notice & Comment

##### **SUPPLEMENTAL ENVIRONMENTAL ANALYSIS (RULES & REGULATIONS ONLY):**

- X Environmental impacts of compliance.
- N/A Mitigation of impacts.
- N/A Alternative methods of compliance.

##### **OTHER:**

- X Written analysis of existing air pollution control requirements
- X Economic Analysis
- X Public Review

## V. DISCUSSION OF LEGAL REQUIREMENTS

### A. REQUIRED ELEMENTS/FINDINGS

This section discusses the State of California statutory requirements that apply to the adoption of the *2015 RACT SIP Analysis*. Since this document is required to be adopted pursuant to public notice and other requirements under 42 USC 7410(a)(2), the District considers the rule adoption process pursuant to H&S Code §40702 to be a proper way to meet these requirements. Therefore, these are actions, that need to be performed, and/or information, that must be provided in order to adopt this document in a procedurally correct manner.

#### 1. State Findings Required for Adoption of Rules & Regulations:

Before adopting, amending, or repealing a rule or regulation, the Governing Board of the AVAQMD is required to make findings of necessity, authority, clarity, consistency, non-duplication, and reference based upon relevant information presented at the hearing. The information below is provided to assist the Governing Board in making these findings.

##### a. Necessity:

The adoption of the *2015 RACT SIP Analysis* is necessary because the AVAQMD has been designated as an ozone non-attainment area and classified Severe-15 for the 0.075 ppm 8-hour ozone standard. Therefore, the AVAQMD must submit a RACT SIP Analysis to the USEPA pursuant to the FCAA.

##### b. Authority:

AVAQMD has the authority pursuant to California Health and Safety Code (H&S Code) §40702, 40725-40728 to adopt, amend or repeal rules and regulations that are necessary or proper to execute the powers and duties granted to and imposed upon AVAQMD. While this action is not specifically a rule or regulation it is a document necessary to execute the powers and duties grant to and imposed upon the AVAQMD.

##### c. Clarity:

The *2015 RACT SIP Analysis* is clear in that it is written so that the persons evaluating the analysis can easily understand the meaning.

##### d. Consistency:

The *2015 RACT SIP Analysis* is in harmony with, and not in conflict with or contradictory to any state law or regulation, federal law or regulation, or court decisions. This document is required to be developed pursuant to the FCAA and the regulations promulgated thereunder.



e. Non-duplication:

The adoption of the *2015 RACT SIP Analysis* does not impose the same requirements as an existing state or federal law or regulation because federal law requires either certification of RACT status or updating rules to current RACT.

f. Reference:

The AVAQMD has the authority pursuant to H&S Code §40702 to adopt, amend or repeal rules and regulations and other documents required to execute the powers and duties granted to and imposed upon the AVAQMD.

g. Public Notice & Comment, Public Hearing:

Notice for the public hearing for the adoption the *2015 RACT SIP Analysis* was published April 17, 2015. This hearing was continued to June 16, 2015 and again to July 21, 2015. See Appendix “B” for a copy of the public notice. See Appendix C for copies of comments, if any, and AVAQMD responses.

2. Federal Elements (SIP Submittals, Other Federal Submittals).

Submittals to USEPA are required to include various elements depending upon the type of document submitted and the underlying federal law which requires the submittal. The information below indicates which elements are required for the adoption of the *2015 RACT SIP Analysis* and how they were satisfied.

a. Satisfaction of Underlying Federal Requirements:

The adoption of the *2015 RACT SIP Analysis* is subject to all the requirements for a SIP submittal because the *2015 RACT SIP Analysis* is included in the AVAQMD SIP. The criteria for determining completeness of SIP submissions are set forth in 40 CFR Part 51, Appendix V, 2.0.

b. Public Notice and Comment:

Notice for the public hearing for the proposed adoption of the *2015 RACT SIP Analysis* was published April 17, 2015. This hearing was continued to June 16, 2015 and again to July 21, 2015. See Appendix “B” for a copy of the public notice.

c. Availability of Document:

Copies of the proposed *2015 RACT SIP Analysis* and the accompanying draft staff report were made available to the public on or before April 17, 2015.

d. Notice to Specified Entities

Copies of the proposed *2015 RACT SIP Analysis* and the accompanying draft staff report were mailed to all affected agencies, including but not limited to CARB and USEPA. The proposed RACT SIP Analysis was sent to CARB and USEPA on April 17, 2015.

e. Public Hearing:

A public hearing to consider the proposed adoption of the *2015 RACT SIP Analysis* was set for May 19, 2015. This hearing was continued to June 16, 2015 and again to July 21, 2015 to address comments received from USEPA.

f. Legal Authority to Adopt and Implement:

The AVAQMD has the authority pursuant to H&S Code §40702 to adopt, amend, or repeal rules and regulations and to do such acts as may be necessary or proper to execute the duties imposed upon the AVAQMD.

g. Applicable State Laws and Regulations Were Followed:

Public notice and hearing procedures pursuant to H&S Code §§40725-40728 have been followed. See Section (V)(A)(1) above for compliance with state findings required pursuant to H&S Code §40727. See Section (V)(B) below for compliance with the required analysis of existing requirements pursuant to H&S Code §40727.2. See Section (V)(C) for compliance with economic analysis requirements pursuant to H&S Code §40920.6. See Section (V)(D) below for compliance with provisions of the California Environmental Quality Act (CEQA).

B. WRITTEN ANALYSIS OF EXISTING REQUIREMENTS

H&S Code §40727.2 requires air districts to prepare a written analysis of all existing federal air pollution control requirements that apply to the same equipment or source type as the rule proposed for modification by the district. The adoption of the *2015 RACT SIP Analysis* is to ensure that District rules adequately address current RACT requirements. Therefore the preparation of a written analysis of existing pollution control requirements that apply to the same equipment or source type is not required. The individual rule actions identified as a result of this analysis will be specifically evaluated to satisfy this requirement on a case-by-case basis through the rule amendment process.

C. ECONOMIC ANALYSIS

1. General

Adoption of the *2015 RACT SIP Analysis* affects those facilities subject to rules requiring amendment to meet RACT requirements. The *2015 RACT SIP Analysis* identifies necessary rule actions. Cost analysis will be addressed on a rule specific basis for those actions identified in the *2015 RACT SIP Analysis* through the rule amendment process.

## 2. Incremental Cost Effectiveness

Pursuant to H&S Code §40920.6, incremental cost effectiveness calculations are required for rules and regulations which are adopted or amended to meet the California Clean Air Act requirements for Best Available Retrofit Control Technology (BARCT) or “all feasible measures” to control volatile compounds, oxides of nitrogen or oxides of sulfur. The adoption of the *2015 8-Hour Reasonably Available Control Technology – State Implementation Plan Analysis (RACT SIP Analysis)* is not subject to incremental cost effectiveness calculations because this document does not impose BARCT or “all feasible measures.” Potential environmental effects will be addressed on a rule by rule basis through the rule amendment process as specific rule changes and their potential impacts are currently not foreseeable.

## D. ENVIRONMENTAL ANALYSIS (CEQA)

Through the process described below, it was determined that a Notice of Exemption would be the appropriate CEQA process for the adoption of the *2015 RACT SIP Analysis*.

1. The adoption of the *2015 RACT SIP Analysis* meets the CEQA definition of “project.” It is not a “ministerial” action.
2. The adoption of the *2015 RACT SIP Analysis* is exempt from CEQA review because it will not create any adverse impacts on the environment. Because there is no potential that the adoption might cause the release of additional air contaminants or create any adverse environmental impacts, a Class 8 categorical exemption (14 Cal. Code Reg. §15308) applies. Potential environmental effects are currently not foreseeable as the particular rule amendments have not been identified with enough specificity at this time. Therefore, environmental effects will be addressed on a rule by rule basis through the rule amendment process as specific rule changes and their potential impacts are currently not foreseeable. Copies of the documents relating to CEQA can be found in Appendix “D.”

## E. SUPPLEMENTAL ENVIRONMENTAL ANALYSIS

### 1. Potential Environmental Impacts

There are no potential negative environmental impacts of compliance with the adoption of the *2015 RACT SIP Analysis*. Potential environmental effects will be addressed on a rule by rule basis through the rule amendment process as specific rule changes and their potential impacts are currently not foreseeable.

2. Mitigation of Impacts

N/A

3. Alternative Methods of Compliance

N/A

F. PUBLIC REVIEW

See Staff Report Section (V)(A)(1)(g) and (2)(b), as well as Appendix B.

VI. TECHNICAL DISCUSSION

The FCAA requires that ozone non-attainment areas implement RACT for sources that are subject to CTGs and for major sources of ozone precursors. The *2015 RACT SIP Analysis* document: (1) reviews all available instances of RACT for applicability to the AVAQMD; (2) reviews all AVAQMD major sources for RACT applicability; and (3) identifies any actions the AVAQMD must take to address applicable RACT requirements. This document satisfies 42 U.S.C. §§7511a (FCAA §182) regarding RACT requirements for the 8-hour ozone National Ambient Air Quality Standard (NAAQS).

The AVAQMD has evaluated its adopted rules and all of its major sources of ozone precursors to ensure that current rules meet the definition of RACT. A current and complete analysis for each rule will be completed at the time of each specific rule amendment. Those reasons identified below as a basis for updating the rule to federal RACT are not necessarily inclusive of all rule changes that will be made at the time of amendment. This section gives a brief overview of the elements identified for further action proposed in the *2015 RACT SIP Analysis*. Complete rule analysis is available in the *2015 RACT SIP Analysis* presented in Appendix “A” of this Staff Report.

The AVAQMD 2012 CARB inventory includes stationary source NO<sub>x</sub> emissions from mobile sources. In particular, Lancaster Landfill and Recycling Center and Granite Construction were not major stationary sources of NO<sub>x</sub> in 2012, when mobile source emissions are accounted for.

Summary of Rules to be amended to update Federal RACT requirements

Rule 462 – *Organic Liquid Loading* to be amended to address deficiencies in the Limited Approval/Limited Disapproval in the NPRM issued 62 FR 26560, 05/14/1997.

Rule 1107 – *Coating of Metal Parts and Products* is consistent with CTG control recommendations, but several VOC limits in SCAQMD Rule 1107 are lower and have been identified as RACT.

Rule 1110.2 – *Emissions from Gaseous and Liquid Fueled Internal Combustion Engines* is not a RACT rule but will be updated to meet other federal requirements. Rule 1110.2 must be updated to remove the agricultural exemption and address other USEPA comments identified in the LA/LD (69 FR 21482, 04/21/2004).

Rule 1145 – *Plastic, Rubber and Glass Coatings* to be amended to incorporate additional RACT provisions identified in SCAQMD Rule 1145, including but not limited to updating definitions, possibly adding several coating categories and VOC limits, transfer efficiency, and updating test methods.

Rule 1146 - *Emissions Of Oxides Of Nitrogen From Industrial, Institutional And Commercial Boilers, Steam Generators, And Process Heaters*. Will survey affected units for applicability and determine if it is feasible to update limits as RACT.

Rule 1151 – *Motor Vehicle and Mobile Equipment Coating Operations* will be amended to incorporate provisions of Control Techniques Guidelines for Automobile and Light-Duty Truck Assembly Coating as applicable to “Heavier” vehicles, which includes all vehicles that meet the definition of the term “other motor vehicles”, as defined at 40 CFR §63.3176. BYD Coach and Bus is not a major source but is permitted above the CTG for Automobile and Light Duty Truck Assembly Coatings (EPA-453/R-08-006, September 2008) threshold.

Rule 1171 – *Solvent Cleaning Operations* will be amended to include work practices, adjust categories for consistency with source specific rules, include alternative composite vapor pressure limit

#### A. SIP HISTORY

##### 1. SIP History.

The AVAPCD came into existence pursuant to statute on July 1, 1997 (Health & Safety Code 40106, A.B. 266-Knight Ch. 542, statutes of 1996). The rules and regulations of the SCAQMD remain in effect within the AVAPCD until the AVAPCD Governing Board adopts, amends or rescinds new ones (H&S Code 40106(e)). Since the SIP applies to the territory for which it was approved at the time it was approved, the AVAPCD also inherited the SCAQMD SIP applicable to the Los Angeles County portion of the South East Desert Air Basin (now called the Mojave Desert Air Basin) prior to July 1, 1997. On January 1, 2002 the AVAQMD was created pursuant to statute (H&S Code 41300 et seq.) to replace the AVAPCD. Once again the SIP in effect at the time of the change remained in effect until the AVAQMD Governing Board superceded, amended or rescinded it. There is no equivalent document to the *2015 RACT SIP Analysis* currently in the AVAQMD SIP.

##### 2. SIP Analysis.

The *2015 RACT SIP Analysis* will be submitted to the USEPA for inclusion into the State Implementation Plan.

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## APPENDIX “A”

### Draft Version

Please see the *AVAQMD 2015 8-Hour Reasonable Available Control Technology – State Implementation Plan Analysis (2015 RACT SIP Analysis)* as attached to the Resolution contained in the July 21, 2015 adoption package.

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**APPENDIX "B"**  
**PUBLIC NOTICE DOCUMENTS**

1. Proof of Publication for Notice of Public Hearing – Antelope Valley Press, 04/17/2015

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# AFFIDAVIT OF PUBLICATION

(2015.5 C.C.P.)

STATE OF CALIFORNIA

County of Los Angeles

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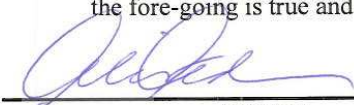
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## NOTICE OF HEARING AVAQMD RACT SIP

I am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or interested in the above entitled matter. I am the principal clerk of the printer of the **Antelope Valley Press**, a newspaper of general circulation, printed and published daily in the City of Palmdale, County of Los Angeles, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of Los Angeles, State of California, under date of October 24, 1931, Case Number 328601; Modified Case Number 657770 April 11, 1956; also operating as the **Ledger-Gazette**, adjudicated a legal newspaper June 15, 1927, by Superior Court decree No. 224545; also operating as the **Desert Mailer News**, formerly known as the **South Antelope Valley Foothill News**, adjudicated a newspaper of general circulation by the Superior Court of the County of Los Angeles, State of California on May 29, 1967, Case Number NOC564 and adjudicated a newspaper of general circulation for the City of Lancaster, State of California on January 26, 1990, Case Number NOC10714, Modified October 22, 1990; that the notice, of which the annexed is a printed copy (set in type not smaller than nonpareil), has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to-wit:

April 17, 2015

I certify (or declare) under penalty of perjury that  
the fore-going is true and correct.



Signature

Dated: April 17, 2015  
Executed at Palmdale, California

*Valley Press*

37404 SIERRA HWY., PALMDALE CA 93550  
Telephone (661)267-4112/Fax (661)947-4870

**NOTICE OF HEARING**  
**NOTICE IS HEREBY GIVEN** that the Governing Board of the Antelope Valley Air Quality Management District (AVAQMD) will conduct a public hearing on May 19, 2015 at 10:30 A.M. to consider the proposed adoption of the 2015 8-hour Reasonably Available Control Technology - State Implementation Plan Analysis (2015 RACT SIP Analysis).  
**SAID HEARING** will be conducted in the Governing Board Chambers located at the AVAQMD offices 43301 Division Street, Suite 206, Lancaster, CA 93525-4649 where all interested persons may be present and be heard. Copies of the proposed 2015 RACT SIP Analysis and the Staff Report are on file and may be obtained from the Clerk of the Governing Board at the AVAQMD Offices. Written comments may be submitted to Bret Banks, Deputy Director Operations - Antelope Valley at the above office address. Written comments should be received no later than May 18, 2015 to be considered. If you have any questions you may contact or Tracy Walters at (760) 245-1661 x6122 for further information. Traducción esta disponible por solicitud.  
The Federal Clean Air Act (FCAA) requires areas designated non-attainment and classified moderate and above to implement Reasonably Available Control Technology (RACT) for sources subject to Control Technique Guidelines (CTG) documents issued by the United States Environmental Protection Agency (USEPA) for "major sources" of volatile organic compounds (VOCs) and oxides of nitrogen (NOx) which are ozone precursors. Effective May 27, 2008 (73 FR 16436, March 27, 2008), USEPA lowered the primary ozone National Ambient Air Quality Standard (NAAQS) from 0.084 parts per million (ppm) to 0.075 ppm. For purposes of the FCAA, the District has been designated non-attainment for ozone and classified as Severe-15 for the 8-hour standard. As a result of this change, USEPA is requiring that all non-attainment areas adopt and submit an updated RACT SIP Analysis to ensure that District Rules adequately address current RACT requirements. Therefore, the AVAQMD must submit a RACT SIP Analysis to the USEPA pursuant to the FCAA.  
Pursuant to the California Environmental Quality Act (CEQA) the AVAQMD has determined that a Categorical Exemption (Class 8 - 14 Cal. Code Reg 15308) applies and has prepared a *Notice of Exemption* for this action.  
Crystal Goree  
Deputy Clerk of the Board  
Antelope Valley Air Quality Management District  
Publish: 4/17/15

AVAQMD  
APR 20 2015  
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APPENDIX "C"  
PUBLIC COMMENTS AND RESPONSES

1. EPA Comments (2015 AV RACT SIP D1 JS COMMENTS st 5-1-15 (2))
2. EPA Email, Subject: AVAQMD Negative Declarations, 07/06/2015

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## 1. EPA Comment

### 2015 AV RACT SIP D1 JS COMMENTS st 5-1-15 (2) [Read-Only] [Compatibility Mode]

#### Main document changes and comments

**Page 9: Comment [SJ1]**      **Shears, James**      **4/21/2015 11:01:00 AM**

1. CARB's inventory for 2012 shows less than 25 tons/year each for Northrup-Grumman and Lockheed-Martin. Please explain why they are listed as major sources.
2. Please clarify why Antelope Valley Landfill and Lancaster Landfill are listed as "NOT major sources of ozone precursors."
3. CARB's 2012 inventory lists Antelope Valley Recycling and Disposal Permit 122802470 with 39.8 tons NOx, but is not in this table.
4. CARB's 2012 inventory lists Granite Construction Permit 54802058 with 32 tons NOx but is not in this table.

**Page 15: Comment [TS2]**      **Tong, Stanley**      **4/23/2015 8:34:00 AM**

General comment: When AV begins to draft future rule updates, please be sure to review the latest rules from other air district. (e.g. SC 1110.2 - 9/7/12).

**Page 15: Comment [TS3]**      **Tong, Stanley**      **4/23/2015 8:33:00 AM**

Bay Area AQMD Reg 8-33 now limits emissions to 0.04 #/1000 gallons. This limit could be considered beyond RACT since only one air district has this limit and it is effective in 2011. AV may want to consider this limit if additional VOC reductions are needed.

**Page 16: Comment [TS4]**      **Tong, Stanley**      **4/23/2015 8:35:00 AM**

Do any sources exceed the CTG threshold of 123,000 liters/yr or ~32,500 gallons/yr?  
If not, consider a negative declaration.

**Page 16: Comment [TS5]**      **Tong, Stanley**      **4/23/2015 8:35:00 AM**

Does AV have any sources?  
If not, consider a negative declaration.

**Page 16: Comment [TS6]**      **Tong, Stanley**      **4/23/2015 8:37:00 AM**

This is not a CTG.  
If AV has no major sources, Rule 1141.1 update is not required to meet RACT and can be removed from this list.

**Page 3: Comment [SJ7]**      **Shears, James**      **4/21/2015 12:31:00 PM**

When Rule 462 is updated, consider revising section d.1.D. to delete .08 lb/1000 gallons, and replace with .04 lb./1000 gallons if additional VOC reductions are needed. (BAAQMD rule 8-33-301.2).  
This is a "beyond RACT" suggestion – see earlier comment on pg 15.

**Page 20: Comment [SJ8]**      **Shears, James**      **4/21/2015 12:41:00 PM**

Other rules that should be updated:

1. Rule 1171: On page 1171-7, The table showing the current VOC limits for solvent cleaning activity have VOC limits that are mostly obsolete. Use the SCAQMD Rule 1171-7 table with its lower VOC limits.
2. Rule 1104: sections (c)(1)(B) & (C) should be updated if AV has sources subject to the 2006 Flat Wood Paneling CTG. All wood flat stock coatings should not exceed 250 grams/liter VOC (2006 CTG and SCAQMD Rule 1104 (c)(1)).

In addition to these comments, for each of the above rules, when the rule is updated, it should be compared to the current version of similar rules.

Rule 1102 – Petroleum Solvent Dry Cleaners – Consider a negative declaration if AV has no sources exceeding the CTG threshold of 123,000 liters/year.

Rule 1107 Metal Parts – Rule improvement: please delete the 65% transfer efficiency criteria on the next rule update.

Rule 1141.1 Coatings and Ink Manufacturing is not a CTG category and can be removed from the table unless AV has a major source.

Rule 1145 Plastic, Rubber and Glass Coating - Rule improvement: please delete the 65% transfer efficiency criteria on the next rule update.

Rule 1146.1 – NOx from boilers – When updating this rule, please consider using South Coast 1146.1. San Joaquin 4307 has less stringent NOx limits for liquid fuel fired boilers.

The following amended rules are not in AV's SIP. These rules should be reviewed and updated, if necessary, for RACT if AV has sources that exceed the Misc Metal and Plastic Parts Coating CTG threshold of 15 lb/day or 2.7 tons/12 month rolling period, or a negative declaration adopted for the CTG.

Rule 1106.1 Pleasure craft coatings AV 6/13/97; 5/1/92 last SIP approved version

Rule 1107 Metal parts and products AV 3/8/96; 5/12/95 last SIP approved version

Rule 1145 Plastic, rubber, and glass coatings AV 2/14/97; 1/10/92 last SIP approved version

Header and footer changes

Text Box changes

Header and footer text box changes

Footnote changes

Endnote changes



1. District Response to EPA Comment
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**Comment [SJ1]**

1. Potential to emit exceeds major source threshold.
2. Required to obtain a Title V permit under 40 CFR Part 60 subpart WWW §60.752(b).
3. The 2012 CARB inventory of 39.8 tons of NO<sub>x</sub> for this facility includes emissions of 37.64 tons of NO<sub>x</sub> from mobile sources.
4. The 2012 CARB inventory of 32 tons of NO<sub>x</sub> for this facility includes emissions of 30.74 tons of NO<sub>x</sub> from mobile sources.

**Comment [TS2]**

A statement was added to the RACT SIP Analysis that a current and complete rule analysis will be completed at the time of specific rule amendment. See page 15 of the RACT SIP Analysis.

**Comment [TS3]**

A current and complete rule analysis will be completed at the time of specific rule amendment. This will include evaluation of the limit included in BAAQMD Reg 8-33.

**Comment [TS4]**

No source exceeds the CTG threshold. A FND will be filed.

**Comment [TS5]**

A FND will be filed.

**Comment [TS6]**

Removed from list.

**Comment [TS7]**

A current and complete rule analysis will be completed at the time of specific rule amendment. This will include evaluation of the limit included in BAAQMD Reg 8-33.

**Comment [TS8]**

1. Rule 1171 has been added to list of rules to update.
2. A FND will be filed.

**Comment [TS9]**

A FND will be filed for Rule 1102.

Rule 1107 will be updated to meet current Federal RACT.

Rule 1141.1 has been removed from the list as it is not a CTG category.

Rule 1145 will be updated to meet current Federal RACT.

A current and complete rule analysis will be completed at the time of amendment of Rule 1146.1.

Rule 1106.1 was analyzed and determined no RACT Update necessary at this time.

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## 2. EPA Email

### Tracy Walters

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**From:** Tong, Stanley <Tong.Stanley@epa.gov>  
**Sent:** Monday, July 06, 2015 10:36 AM  
**To:** Tracy Walters; Alan De Salvio  
**Cc:** Shears, James; Withey, Charlotte  
**Subject:** AVAQMD Negative Declarations

Tracy,

I talked with our attorney and our recommendation is that AV adopt a negative declaration for the CTG categories where the District does not have sources subject to a CTG (e.g., are below the CTG applicability threshold e.g., Rule 463 – storage of organic liquids; Rule 1102 petroleum solvent dry cleaners; Rule 1104 wood flat stock coating operations.)

My reasoning is:

1. For each CTGs category, the District should either have a rule meeting current RACT or a neg dec stating it has no sources subject to the CTG.

(this is tracked on an EPA HQ database)

2. Therefore, if there is no neg dec for a CTG category, I need to evaluate if the existing rule meets current RACT.

3. If the rule needs updating to meet RACT (since there is no adopted neg dec), a sanctions clock will start when I finalize an FR action on the RACT SIP submittal.

This is mainly why I consider adopting a neg dec would be best if you don't have sources subject to a CTG.

4. Since the existing rules are currently in the SIP (and will remain in the SIP until rescinded), I do not consider adopting a neg dec for the CTG as backsliding or loosening of SIP requirements.

The Negative Declaration for the RACT SIP submittal is only stating you have no sources subject to the CTG at the time of the analysis.

Stan

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Stanley Tong  
US EPA Region IX  
Air Division - Rules Office (AIR 4)  
75 Hawthorne St.  
San Francisco, CA 94105

[tong.stanley@epa.gov](mailto:tong.stanley@epa.gov)  
415 947 4122 (w)  
415 947 3579 (f)

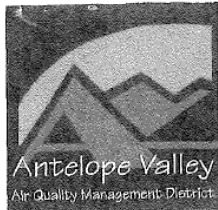
## 2. District Response to EPA Email

1. The AVAQMD will add FNDs for those source categories where there is an existing SIP rule but that source category does not meet the CTG threshold (Fixed-Roof Tanks, Floating Roof Tanks, Large Petroleum Dry Cleaners, and Flat Wood Paneling).

APPENDIX "D"  
CALIFORNIA ENVIRONMENTAL QUALITY ACT  
DOCUMENTATION  
*(to be included as available)*

1. Notice of Exemption – Los Angeles County

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Antelope Valley Air Quality Management District  
43301 Division St., Suite 206  
Lancaster, CA 93535-4649

FILED

661.723.8070  
Fax 661.723.3450

AUG 06 2015

RECEIVED  
AUG 10 2015

NOTICE OF EXEMPTION

DEAN C. LOGAN, Executive Director  
REGISTRAR, RECORDS & COMMUNICATIONS  
M. BROOKS, DEPUTY

**TO:** Los Angeles County Clerk  
12400 E. Imperial Hwy, #1001  
Norwalk, CA 90650

**FROM:** Antelope Valley  
Air Quality Management District  
43301 Division Street, Suite 206  
Lancaster, CA 93535-4649

☒ AVAQMD Clerk of the Governing Board

**PROJECT TITLE:** 2015 8-Hour Reasonably Available Control Technology – State Implementation Plan Analysis (2015 RACT SIP Analysis).

**PROJECT LOCATION – SPECIFIC:** Los Angeles County portion of the Mojave Desert Air Basin.

**PROJECT LOCATION – COUNTY:** Los Angeles County

**DESCRIPTION OF PROJECT:** The Federal Clean Air Act (FCAA) requires areas designated non-attainment and classified moderate and above to implement Reasonably Available Control Technology (RACT) for sources subject to Control Technique Guidelines (CTG) documents issued by the United States Environmental Protection Agency (USEPA) for “major sources” of volatile organic compounds (VOCs) and oxides of nitrogen (NOx) which are ozone precursors. Effective May 27, 2008 (73 FR 16436, March 27, 2008), USEPA lowered the primary ozone National Ambient Air Quality Standard (NAAQS) from 0.084 parts per million (ppm) to 0.075 ppm. For purposes of the FCAA, the District has been designated non-attainment for ozone and classified as Severe-15 for the 8-hour standard. As a result of this change, USEPA is requiring that all non-attainment areas adopt and submit an updated RACT SIP Analysis to ensure that District Rules adequately address current RACT requirements.

In 2006 the AVAQMD adopted the *8-Hour Reasonably Available Control Technology – State Implementation Plan Analysis (RACT SIP Analysis)* in response to change on March 9, 2006 of the previous ozone standard from measurement on a one- hour basis (1-hour ozone standard) to an eight-hour basis (8-hour ozone standard). On September 11, 2006, USEPA provided comments on the 2006 *RACT SIP Analysis* requesting additional analysis on several rules to determine if they still represented RACT. On March 13, 2014, the AVAQMD sent the *8-hour Ozone Reasonably Available Control Technology (RACT) State Implementation Plan (SIP) Analysis – Supplemental Analysis* addressing these comments and providing the requested analysis of those rules identified by USEPA. This update was not acted on by the Governing Board pursuant to USEPA direction.

The AVAQMD must now adopt an updated *2015 RACT SIP Analysis* for the 2008 0.075 ppm 8-hour ozone NAAQS. The information contained in the original 2006 *RACT SIP Analysis*, the information in the supplemental *2014 RACT SIP Analysis*, together with this document, will comprise an analysis sufficient to satisfy the *RACT SIP Analysis* request for the 0.075 ppm 8-hour ozone NAAQS. The resultant *2015 RACT SIP Analysis* will, upon adoption, be submitted to USEPA for approval.

**NAME OF PUBLIC AGENCY APPROVING PROJECT:** Antelope Valley AQMD

**NAME OF PERSON OR AGENCY CARRYING OUT PROJECT:** Antelope Valley AQMD

**EXEMPT STATUS (CHECK ONE)**

Ministerial (Pub. Res. Code §21080(b)(1); 14 Cal Code Reg. §15268)

Emergency Project (Pub. Res. Code §21080(b)(4); 14 Cal Code Reg. §15269(b))

☒ X Categorical Exemption – Class 8 (14 Cal Code Reg. §15308)

**REASONS WHY PROJECT IS EXEMPT:** The proposed adoption of the *2015 RACT SIP Analysis* is exempt from CEQA review because it will not create any adverse impacts on the environment. Because there is no potential that the adoption might cause the release of additional air contaminants or create any adverse environmental impacts, a Class 8 categorical exemption applies. Potential environmental effects will be addressed on a rule by rule basis through the rule amendment process as specific rule changes and their potential impacts are currently not foreseeable.

**LEAD AGENCY CONTACT PERSON:** Bret Banks **PHONE:** (661) 723-8070

**SIGNATURE:**  **TITLE:** Deputy Director Operations – Antelope Valley

**DATE:** 05/19/15

**DATE RECEIVED FOR FILING:**



## APPENDIX "E"

### BIBLIOGRAPHY

The following documents were consulted in the preparation of this staff report and the adoption of the *8-Hour Reasonably Available Control Technology – State Implementation Plan Analysis (RACT SIP Analysis)*:

1. 73 FR 16436, March 27, 2008
2. 77 FR 26950, May 8, 2012
3. 78 FR 33178, June 6, 2013
4. USEPA – various CTGs, ACTs, and other documents
5. USEPA – letter from Andrew Steckel, EPA Region IX to Alan De Salvio, AVAQMD, dated September 11, 2006
6. California Health and Safety Code – various sections

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